

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

SEALED

UNITED STATES OF AMERICA

V.

JAVON DEMAR MANNING

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§

CRIMINAL NO. 6:14CR

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MHS / JDL

INDICTMENT

THE UNITED STATES GRAND JURY CHARGES:

COUNT ONE

Violation: 21 U.S.C. § 841(a)(1) (Possession
with intent to distribute methamphetamine)

On or about March 9, 2014, in Panola County, in the Eastern District of Texas,
Javon Demar Manning, defendant herein, knowingly and intentionally possessed with
intent to distribute 50 grams or more of methamphetamine (actual), a Schedule II
controlled substance,

In violation of 21 U.S.C. § 841(a)(1).

COUNT TWO

Violation: 18 U.S.C. § 924(c)
(Use, carrying, and possession of a firearm
during and in furtherance of a drug trafficking
crime)

On or about March 9, 2014, in the Eastern District of Texas, **Javon Demar Manning**, defendant herein, did knowingly and intentionally use, carry, and possess a firearm, that is, an HS Products (IM Metal), Model XDm, .45 caliber, Serial Number MG540660 firearm, during and in relation to a drug trafficking crime for which he may be prosecuted in a court of the United States, that is possession with intent to distribute methamphetamine, a Schedule II controlled substance, as charged in Count One of this indictment, and in furtherance of said crime knowingly possessed a firearm, that is, an HS Products (IM Metal), Model XDm, .45 caliber, Serial Number MG540660 firearm, with magazine,

All in violation of 18 U.S.C. § 924(c)(1)(A).

NOTICE OF INTENT TO SEEK CRIMINAL FORFEITURE

Pursuant to 18 U.S.C. § 924(d), 21 U.S.C. § 853, and 28 U.S.C. § 2461

As the result of committing one or more of the foregoing offenses alleged in this indictment, the defendant herein shall forfeit to the United States, pursuant to 18 U.S.C. § 924(d), 21 U.S.C. § 853 and 28 U.S.C. § 2461:

1. any property constituting, or derived from, and proceeds the defendant obtained, directly or indirectly, as the result of such violations; and/or
2. any of the defendant's property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such violations.

FIREARMS:

Any and all firearms, ammunition and accessories seized from the defendant, including but not limited to the following:

1. An HS Products (IM Metal), Model XDm, .45 caliber, Serial Number MG540660 firearm, with magazine.
2. 13 rounds of .45 caliber ammunition.

CASH PROCEEDS

\$10,000.00 in United States currency and all interest and proceeds traceable thereto, in that such sum in aggregate is proceeds obtained directly or indirectly as a result of the commission of the aforesaid violations.

Substitute Assets

If any of the property described above as being subject to forfeiture, as a result of any act or omission of the defendants:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with a third person;
- (c) has been placed beyond the jurisdiction of the court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), to seek forfeiture of any other property of the defendants up to the value of the above forfeitable property, including but not limited to all property, both real and personal owned by the defendants.

By virtue of the commission of the offenses alleged in this indictment, any and all interest the defendants have in the above-described property is vested in the United States and hereby forfeited to the United States pursuant to 18 U.S.C. § 924(d), 21 U.S.C. § 853 and 28 U.S.C. § 2461.

A TRUE BILL

BK
GRAND JURY FOREPERSON

JOHN M. BALES
UNITED STATES ATTORNEY



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11-19-2014
Date

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NOTICE OF PENALTY

COUNT 1

Violation:	21 U.S.C. § 841(a)(1) (Possession with intent to distribute and distribution of methamphetamine, a Schedule II controlled substance)
Penalty:	Imprisonment for a term of not less than ten years, a fine not to exceed \$10,000,000, or both. A term of supervised release of not more than three years in addition to such term of imprisonment.
Special Assessment:	\$100.00

COUNT 2

Violation:	18 U.S.C. § 924(c) (Use, carrying, and possession of a firearm during and in furtherance of a drug trafficking crime)
Penalty:	Imprisonment for a term of not less than five years or more than life, which must be served consecutively to any other term of imprisonment, a fine not to exceed \$250,000, or both. A term of supervised release of not more than 3 years in addition to such term of imprisonment.
Special Assessment:	\$100.00